

32

# **Notice of Allowability**

Application No.

10/826,677

Examiner

Ahshik Kim

Applicant(s)

BLAKE ET AL.

Art Unit

2876

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment (10/21/05) & Interview (1/3/06).
2. ☒ The allowed claim(s) is/are 1-7,9 and 12-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>enclosed</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>10/26/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Amendment*

1. Receipt is acknowledged of the amendment filed on October 21, 2005. In the  
5 amendment, claims 8, 10, 11 were canceled, and claims 1, 3, 16, and 19 were amended.  
Currently, claims 1-7, 9, and 12-23 remain in the examination.

### *Examiner's Amendment*

2. An examiner's amendment to the record appears below. Should the changes  
10 and/or additions be unacceptable to applicant, an amendment may be filed as provided by  
37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no  
later than the payment of the issue fee.

Authorization for this examiner's amendment was granted during a telephone  
interview with Mr. Tom Perkowski on January 3, 2006 (see attached Interview  
15 Summary).

### IN THE CLAIMS

1-7. (See amendment filed on 10/21/05)

8. (canceled)

9. (see amendment filed on 10/21/05)

10-11. (canceled)

12. (currently amended) The system of claim ~~10~~ 1, wherein said scanning  
element comprises a first scanning element comprises a first mechanically-damped  
scanning element supported at one end from a first fixed anchoring structure, and driven  
in an off-resonant manner by said first electromagnetically driven coil; and wherein

Art Unit: 2876

second scanning element comprises a second mechanically-damped scanning element supported at one end from a second fixed anchoring structure, and driving in an off-resonant manner said second electromagnetically driven coil.

13-15. (see amendment filed on 10/21/05)

5 16-23 (Canceled)

***Allowable Subject Matter***

3. Claims 1-7, 9, and 12-15 are allowed.

4. The following is the Examiner's statement of reasons for allowance: the claims  
10 are directed at a system for producing raster-type scanning pattern for scanning 2-D bar codes. The system is comprised of a housing, a light source disposed in the housing a first light beam scanning mechanism for producing the light beam in x-axis scanning direction; and a second beam scanning mechanism for producing the light beam in y-axis scanning direction. In generating second beam in y-axis direction, an electronically-  
15 controlled potentiometer is used for producing y-axis drive voltage signal periodically incrementing and decrementing in small quantized voltage level steps. The cited references, taken alone or in combinations, fail to suggest or teach use of potentiometer for producing control signal for generating beam in y-axis.

Any comments considered necessary by applicant must be submitted no later than  
20 the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2876

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim  
Primary Examiner  
Art Unit 2876  
January 3, 2006